

EXHIBIT 18

From: Gambill, Nathan (AG)
Sent: Tuesday, January 21, 2020 4:42 PM
To: 'Lawrence Kogan' <lkogan@koganlawgroup.com>
Cc: Colaianne, Joseph W. <jcolaianne@clarkhill.com>; Larsen, Zachary C. <zlarsen@clarkhill.com>
Subject: State lawsuit against Boyce entities and their members

Larry,

I promised in our call last month that I would give you the courtesy of a heads up if the State planned to file a civil action over the Wixom Lake drawdown in 2018 and the current 2019 drawdown. The State has planned to move forward with such an action. It will be on behalf of the Attorney General, the Department of Natural Resources, and the Department of Environment, Great Lakes and Energy. And it will be against the Boyce entities and their members, including the various Boyce trusts, Lee Mueller, Michele Mueller, and Stephen Hultberg.

The State alleges that the drawdowns killed millions of freshwater mussels—among other natural resource damages—including many snuffbox mussels, which is a state and federally endangered species. The State will seek natural resource damages, an order to restore the mussel populations and otherwise repair the environmental harms the drawdowns have caused, and an injunction against any future unauthorized drawdowns.

The Four Lakes entities are not named as defendants at this time, but I've copied their attorneys because they obviously have an interest in how this case proceeds.

I'll send this group a courtesy copy of the complaint once it is filed, which will happen relatively soon.

Nate Gambill
Assistant Attorney General
Michigan Department of Attorney General
Environment, Natural Resources, and Agriculture Division
525 West Ottawa Street
P.O. Box 30755
Lansing, MI 48909
Phone: 517-335-7664
Fax: 517-241-3473